

## BERESKIN &amp; PARR

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or  
 Application No. 09/900,468 filed on July 9, 2001  
 as amended on \_\_\_\_\_ (if applicable):

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon

## FULL NAME OF INVENTOR(S)

Inventor one: Joe CargnelliSignature:  Citizen of: CanadianInventor two: Jianming YeSignature:  Citizen of: Canadian

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

 Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto

**Burden Hour Statement** This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

UNITED STATESASSIGNMENT

WHEREAS WE, JOE CARGNELLI and JIANMING YE, whose full post office addresses are 18 Fairhaven Drive, Toronto, Ontario, M9P 2P6, Canada, and 22-101 Rosseau Road, North York, Ontario, M3H 3G2, Canada have invented certain new and useful improvements in an invention entitled **MANIFOLD FOR A FUEL CELL SYSTEM** for which an application for United States Letters Patent was Filed on July 9, 2001, under Serial No. 09/900,468.

AND WHEREAS HYDROGENICS CORPORATION, a corporation of 5985 McLaughlin Road, Mississauga, Ontario, Canada L5R 1B8 has acquired from me the whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

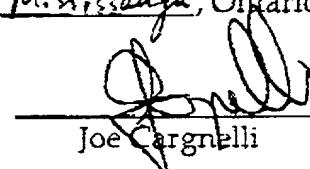
NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, WE, JOE CARGNELLI and JIANMING YE, by these presents confirm that WE have sold, assigned and transferred and do hereby sell, assign and transfer unto the said HYDROGENICS CORPORATION, the full and exclusive right to the said invention in the United States of America and all other countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and the entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent.

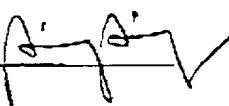
WE agree that WE will without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain patents for said invention and for additions and modifications thereto in any and all countries, and to vest title thereto in said assignee, its successors, assigns and legal representatives or nominees.

-2-

WE hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said **HYDROGENICS CORPORATION**, the assignee of the entire right, title and interest in and to the same, for its sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by US had this assignment and sale not been made.

Executed this 20 day of September, 2001, at Mississauga, Ontario, Canada.

  
Joe Cargnelli

Witness 

Executed this 20 day of September, 2001, at Mississauga, Ontario, Canada.

  
Jianming Ye

Witness 